

DECLARATION, POWER OF ATTORNEY, AND PETITION

We,

(1) Name: Duane D. Blatter
Address: 4220 Brockbank Way
Salt Lake City, Utah 84124
Citizenship: United States of America

(2) Name: Kenneth C. Goodrich
Address: 3475 Cummings Road
Salt Lake City, Utah 84109
Citizenship: United States of America

(3) Name: Michael C. Barrus
Address: 440 East 900 North
Bountiful, Utah 84101
Citizenship: United States of America

(4) Name: Bruce M. Burnett
Address: 2270 East 4500 South #24
Salt Lake City, Utah 84117
Citizenship: United States of America

declare: that our citizenship, residence address, and post office address are as set forth above; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled LOCKING COMPRESSION PLATE ANASTOMOSIS APPARATUS for which a patent is sought and which is described and claimed in the specification attached hereto; that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to herein; and that we acknowledge the duty to disclose information which is material to

the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We hereby claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed pending applications, Serial No. 09/293,617, filed April 16, 1999 and Serial No. 09/293,336, filed April 16, 1999; and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier filed pending applications in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, we acknowledge the duty to disclose all information known to be material to patentability, as defined in Section 1.56 of Title 37 of the Code of Federal Regulations, which became available between the filing date of the earlier filed application and the filing date of this application.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents all attorneys and/or patent agents listed under the following Customer Number, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

